

Amendments to Rule 50

Rule 50 is amended as follows:

Rule 50. Judgment as a Matter of Law in Actions Tried by Jury; Alternative Motion for New Trial; Conditional Rulings

(a) Judgment as a Matter of Law.

(1) **In General.** If ~~[during a trial by jury]~~ a party has been fully heard on an issue **during a jury trial** and ~~[there is no legally sufficient evidentiary basis for a reasonable jury]~~ **the court finds that a reasonable jury would not have a legally sufficient evidentiary basis** to find for ~~[that]~~ **the** party on that issue, the court may:

(A) ~~[determine]~~ **resolve** the issue against that party; and ~~[may]~~

(B) grant a motion for judgment as a matter of law against ~~[that]~~ **the** party ~~[with respect to]~~ **on** a claim or defense that, ~~[cannot]~~ under the controlling law, **can** be maintained or defeated ~~[without]~~ **only with** a favorable finding on that issue.

(2) ~~[Motions]~~ **Motion. A Motion** for judgment as a matter of law may be made at any time before ~~[submission of]~~ the case **is submitted** to the jury. ~~[Such a]~~ **The** motion ~~[shall]~~ **must** specify the judgment sought and the law and ~~[the]~~ facts ~~[on which the moving party is entitled]~~ **that entitle the movant** to the judgment.

(b) Renewal of Motion for Judgment After Trial; Alternative Motion for New Trial.

~~[Whenever a motion for a judgment as a matter of law made at the close of all the evidence is denied or for any reason is not granted,]~~ **If the court does not grant a motion for judgment as a matter of law made under subdivision (a),** the court is ~~[deemed]~~ **considered** to have submitted the action to the jury subject to ~~[a]~~ **the court's** later ~~[determination of]~~ **deciding** the legal questions raised by the motion. ~~[Such a motion may be renewed by service and filing not later than 30 days after the entry of judgment.]~~ **The movant may renew its request for judgment as a matter of law**

by filing a motion no later than 30 days after the entry of judgment – or if the motion addresses a jury issue not decided by a verdict – no later than 30 days after the jury was discharged. ~~[A motion for a new trial under Rule 59 may be joined with a renewal of the motion for judgment as a matter of law, or a new trial may be requested in the alternative.]~~ The movant may alternatively request a new trial or join a motion for a new trial under Rule 59.

In ruling on a renewed motion, the court may:

(1) ~~[If]~~ **if** a verdict was returned[;]: ~~[the court may, in disposing of the renewed motion,]~~

(A) allow the judgment to stand, ~~[or may reopen the judgment and either]~~

(B) order a new trial, or

(C) direct ~~[the]~~ entry of judgment as a matter of law[;]; **or**

(2) ~~[If]~~ **if** no verdict was returned[;]: ~~[the court may, in disposing of the renewed motion,]~~

(A) **order a new trial; or**

(B) direct the entry of judgment as a matter of law ~~[or may order a new trial].~~

(c) Same; Conditional Rulings on Grant of Motion for Judgment as a Matter of Law. ***

(d) Same; Denial of Motion for Judgment as a Matter of Law. * * *

PRACTICE COMMENT: * * *

(As amended July 28, 1988, eff. Nov. 1, 1988; Oct. 3, 1990, eff. Jan. 1, 1991; Sept. 25, 1992, eff. Jan. 1, 1993; Oct. 5, 1994, eff. Jan. 1, 1995; **Nov. 27, 2007, eff. Jan. 1, 2008.**)